

## National Adult Community Acquired Pneumonia Audit 2018-19

### Fair processing information for patients

The British Thoracic Society (BTS) is the data controller for all data collected and reported on by the National Adult Community Acquired Pneumonia (CAP) Audit 2018-19. All data collected by the audit programme is processed to ensure patient confidentiality is maintained. Data processors include:

- **Westcliff Solutions Limited** – who provide the audit web-tool and data management services under contract to BTS.
- **University of Nottingham** – who provide clinical oversight and statistical data analysis.
- **BTS** – who provide day to day administrative support for the web-tool and also support analysis and reporting phases of the audit.

### Purpose of the audit

The BTS Adult CAP Audit collects data on patients who are admitted to hospital with pneumonia during December 2018 and January 2019 including details of the admission and the care delivered.

This information will be used to report back to hospitals on whether they are meeting national guidance for CAP care and if there are any areas where they are falling short so that steps can be taken to improve care. The audit team will also look at the national picture for CAP care to see if there is variation between hospitals and seek explanations for any variation, again with the aim of driving improvements in care.

Patient identifiers will be collected to allow linkage to other data sources to improve the overall quality of the data and to allow adjustment for underlying patient and socio-economic factors, as well as a health economic analysis.

The audit data will not be used for automated decision making.

### Approvals and legal basis

#### *Common Law Duty of Confidentiality*

This audit has been granted Section 251 approval for England and Wales by the NHS Health Research Authority (CAG reference: CAG/18/0147), meaning that we are allowed to collect patient-identifiable data without patient consent. The audit collects the following patient identifiable items: NHS number; date of birth; sex; home postcode; and date of death.

Hospitals in Scotland and Northern Ireland can also participate in the audit but will not provide the patient identifiers listed above.

More information about the audit data flows (also outlined below) and the full dataset is available here: <https://www.brit-thoracic.org.uk/standards-of-care/audit/>. Patient information sheets and posters are also available via this link.

The audit's legal basis under the General Data Protection Regulation (GDPR) is:

- **Article 6 (1) (f) processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party.** BTS exists to improve standards of care for people who have respiratory diseases and to support and develop those who provide that

care. The British Thoracic Society is a Charity registered in England with number 285174, and registered in Scotland with number SC041209.

- **Article 9 (2) (i) processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices, on the basis of Union or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy.**

This is justified as the audit aims to drive improvements in the quality and safety of care and to improve outcomes for patients with community acquired pneumonia.

#### **Source of data and main data flows**

From 1 December 2018, staff in participating hospitals will collect patient data including patient identifiers from electronic and paper hospital records and enter these onto a secure online data collection tool managed by BTS and provided by Westcliff Solutions Limited. Access to the data entry tool is controlled by username and password and only selected and authorised hospital staff are given access to the data entry for this audit.

At the end of the audit, all audit data (including any linked data obtained from NHS Digital – see below) will be sent in a completely anonymised, patient level format to the University of Nottingham for analysis. The University of Nottingham analyses the data and provides the outcomes of this analysis to BTS for production of national and local reports. Only aggregate patient data will be presented in these reports, and no information will be released that could be used to identify individuals.

#### **Linkage**

##### *England and Wales*

BTS intends to apply to NHS Digital to link the audit data to Hospital Episodes Statistics (HES) datasets and the Office of National Statistics (ONS) mortality data. HES is a record of all hospital admissions in England, and ONS mortality data is sourced from civil registration data. NHS Digital will receive patient identifiable information (NHS number, date of birth, sex, postcode and date of death) from Westcliff Solutions Limited to link the audit data to these sources.

Once the data has been linked by NHS Digital, it is sent back to Westcliff Solutions for processing: it is linked with the rest of the audit data and all patient identifiable information is anonymised (NHS number removed; Postcode replaced with deprivation quintile; date of birth changed to age; and date of death replaced with survival in days). BTS then sends the anonymised combined data to the analysis team in Nottingham.

##### *Scotland and Northern Ireland*

No data linkage will be undertaken in these nations. At the end of the audit, the audit data are sent to the analysis team in Nottingham by BTS.

#### **Third party data requests**

Data collected for this audit may be shared with other organisations in an anonymised format. Circumstances may include research, service evaluation, audit, or for local quality improvement initiatives. Data will only be shared if appropriate legal approvals are in place, and no information that could be used to identify individuals will be released. Any such use of the data will always be in line with the overall aims of improving care and services for people with CAP. No data is shared outside of the UK.

**Data retention**

Patient identifiable data items (NHS number, Postcode, DOB and DOD) will be retained for up to 12 months from the close of the audit (31 May 2019) to allow for the proposed data linkage via NHS Digital. After this period, patient identifiable data items will be overwritten within the database – the data store disks are over-written using an industry standard sanitisation tool. The remaining anonymised audit data will be securely stored and used for historical or comparative analysis, and to enable participating organisations to download their own data for further local analysis.

**Data subject rights**

National clinical audit works best when it includes information about as many patients as possible. However, if a patient does not want their information to be included they are advised to speak to a member of their clinical team. Saying this will not affect the care or treatment they receive in any way. The clinical team will ensure that the patient's information is not included in the audit. If a patient's information has already been submitted and they would like to have it removed, they should contact the hospital that treated them or the BTS audit team.

Patients may also request access to and rectification of their personal data, and may request restriction of processing concerning themselves or object to the processing. Patients whose data have been included in the audit also have the right to data portability.

Please note, patient identifiers are only retained for a limited period of time and after these have been deleted the data will be anonymous and it will not be possible to identify individual patient records.

**Right to complain to a supervisory body**

If a patient thinks that their information is being used inappropriately, they have the right to complain to the Information Commissioners Office (ICO).

ICO website: <https://ico.org.uk/> and Helpline: 0303 123 1113

**Data controller contact details:**

If you have any queries or requests regarding the processing of data as part of this audit, please contact the BTS audit team at [audittools@brit-thoracic.org.uk](mailto:audittools@brit-thoracic.org.uk) or 020 7831 8778. Or write to us at: British Thoracic Society, 17 Doughty Street, London WC1N 2PL